

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 2, 1997

ALL-COUNTY INFORMATION NOTICE NO. I-33-97

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☒ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

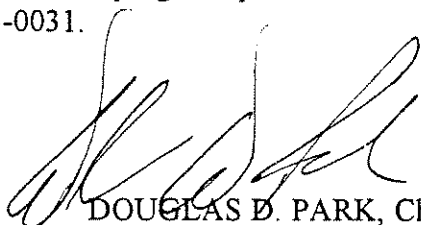
TO: ALL COUNTY WELFARE DIRECTORS
ALL SPECIAL INVESTIGATIONS UNIT CHIEFS
ALL DISTRICT ATTORNEYS

SUBJECT: DPA 266 - FRAUD INVESTIGATION ACTIVITY REPORT

REFERENCE: ACL 96-19, dated April 30, 1996, and ACIN I-31-95, dated June 12, 1995

This transmits clarification of the reporting requirements for the monthly Fraud Investigation Activity Report - DPA 266. Effective with the July 1996 report month, counties began reporting on the revised DPA 266. As a result of comments and questions received during the training sessions and additional questions that counties have had in completing the initial reports, the Fraud Bureau and Information Services Bureau compiled the attached "Question and Answer" document. This document further explains what the counties need to provide in this report. A copy of the DPA 266 is attached to this ACIN for your convenience.

If you have any questions regarding the report and its instructions, please contact Mary Ann Kashiwagi at (916) 653-4902. Fraud program questions should be directed to Rick Tibbetts or Judy Hale at (916) 445-0031.


DOUGLAS D. PARK, Chief
Financial Planning Branch

Attachment

c: CWDA

FRAUD INVESTIGATION ACTIVITY REPORT - DPA 266
QUESTION AND ANSWERS
MAY 1997

GENERAL COMMENTS - The following comments address general reporting problems counties have encountered for the DPA 266:

- The monthly DPA 266 report is due the 12th working day after the report period.
- In Part A, Section II, Investigation Caseload, individual case counts are counted in this portion of the DPA 266. In Part A, Section III, Investigation Results, multiple dispositions for cases identified in Part A, Section II, Investigation Caseload, are reported. For example, one case may be referred to an Administrative Disqualification Hearing (Item 12) and have their benefits discontinued (Item 14). This case would be counted only once in Item 6.a.2, Cases Not Referred for Prosecution.

Based on these instructions, the sum of the investigation results reported in Part A, Section III, Items 8 - 10 and 12 - 16 should be equal to or greater than the number of cases reported in Part A, Section II, Line 6.a.2, Cases Not Referred for Prosecution. Likewise, the sum of the investigation results reported in Part A, Section III, Items 17 - 19 should be equal to or greater than the number of cases reported in Part A, Section II, Item 6.b, Evidence Not Sufficient to Support an Allegation of Fraud. Item 20, Other, should be used only if the investigation result does not fall within the definitions of Items 8 - 19. If Item 20, Other, is used, enter the total number of investigations disposed of and their corresponding investigation results in Part F, Comments section.

- Dispositions reported in Part A, Section III, Item 11, Referred for Prosecution should be equal to or greater than the cases reported in Part A, Section II, Item 6.a.1, Cases Referred for Prosecution. If these two line items do not agree, please explain in Part F, Comments section. For example, if a case referred for prosecution fraudulently received aid in two counties, the case would be referred to the District Attorney's Office in both counties. Item 6.a.1 would report one count and Item 11 would report two counts. The necessary explanation would be noted in Part F, Comments section.
- All data reported in line items labeled "OTHER" are to be explained in the **COMMENTS** section located in Part F.

QUESTIONS - The following questions and answers address specific concerns counties have for the DPA 266.

1. **Question:** Must the county use the revised form?

Answer: Yes. Use of the revised DPA 266 form was effective with the July 1996 report month. Reports submitted on the old DPA 266 report will be returned to the county.

2. **Question:** Should Part A, Section I, Line 1, Total Requests Received During Month, equal the sum of Part A, Section I, Item 2, Total Requests Rejected During Month, and Item 3, Total Requests Accepted During Month?

Answer: Yes. Item 1, Total Requests Received during the Month should equal the sum of Item 2 and Item 3. The county must either accept or reject a fraud case during the report month. The form does not allow for any pending investigation requests.

3. **Question:** The report has a specific homeless category in the investigation requests section (Part A, Section I, Item 3.d) but there is no homeless category in the investigation results section (Part A, Section III). Where should a county report homeless dispositions?

Answer: Counties should report homeless dispositions in Part A, Section III, Item 20, Other, and explain in the Comments section of the report.

4. **Question:** The instructions are silent on whether dispositions reported in Part A, Section III, Item 20, Other, are to be added to Item 6.a.2 or Item 6.b. Please provide clarification.

Answer: In general, dispositions reported in Part A, Section III, Item 20, Other, should be added to Item 6.a.2, Cases Not Referred for Prosecution. However, there may be exceptions depending upon what the county has reported in this item. As stated in the instructions, counties must explain all entries reported in the "Other" category.

5. **Question:** How do you report potentially fraudulent cases identified by the Early Fraud Detection process where an allegation was unfounded in Part A, Section III?

Answer: Early Fraud Detection cases where an allegation was unfounded or where there was insufficient evidence to support an allegation of fraud should be reported in Part A, Section III, Item 17, Allegation Unfounded, and/or Item 18, Insufficient Evidence.

6. **Question:** The revised DPA 266 report changed how counties report prosecution activity in Part B, Section I. On the previous form, cases were moved out of the pending count once the district attorney informed the county of the outcome of the case. The new report now asks counties to report prosecutions filed. How do we make the conversion to the new report?

Answer: Each county needs to determine which cases reported in Part B, Section I, Item 1, Referral Pending Beginning of Month, have a criminal complaint, indictment, or other action already filed. The identified cases should be moved out of Item 1 by reporting them in Item 4.a, Prosecutions Filed. If a decision has been made by the prosecuting authority to not prosecute a case, then the identified cases should be reported in Item 4.b, Decision Not to Prosecute. A notation in the Comments section explaining this one-time adjustment should also be made. **DO NOT ZERO OUT THE PENDING CASES REPORTED IN PART B, LINE 1.**

7. **Question:** At what point does a county report a conviction? At the time the defendant is found guilty or when the defendant is sentenced?

Answer: The county should report the conviction in Part B, Section II, Line 6, Convictions, at the time the county is informed that the defendant was found guilty. Sentences are not reported. However, since other reportable items are at times not addressed until sentencing (e.g., restitution, disqualification, etc.), delaying the reporting until the completion of sentencing/probation hearing is permissible.

8. **Question:** What should be reported in Part C, Administrative Disqualification Hearing Activity? Cases or persons?

Answer: Administrative disqualifications are applied against persons not cases. Therefore, persons are reported in Part C.

9. **Question:** What should be reported in Part E. Collections, Item 1?

Answer: For the purposes of this report, a fraud collection is a collection from an overpayment/overissuance identified as a result of a completed investigation. The collection amount reported in Part E. Collections, Item 1, are based on those overpayment/overissuance amounts identified and reported in Part A, Section IV, Line 21, Total Fraud Overpayments/Overissuances Identified. Since the actual collections of overpayments/overissuances occur in arrears and over varying periods of time, the collection amount identified in Part E does not tie to each month's overpayments/overissuances identified in Part A, Section IV, Line 21. The corrected definition for Part E, Collections, Item 1 is as follows:

Total Collected During the Prior Report Month (Dollar Amounts) - Enter the total dollar amount of fraud overpayments/overissuances collected by or for the county welfare department during the **prior month**. Report only those dollar amounts that reflect restitution for fraud overpayments or overissuances. Grant adjustments should be included in this amount if they reflect restitution for fraud overpayments or overissuances. For the purpose of this report, it is a fraud collection if it is from an overpayment/overissuance linked to a completed fraud investigation.

10. **Question:** A case initially referred to fraud for investigation involved only AFDC. During the course of the investigation, the allegation of fraud is found to also affect the food stamp component of the case. This case was initially reported as a request for investigation as AFDC but the outcome involved both the AFDC and Food Stamp. How is this reported on the DPA 266?

Answer: Once the food stamp component is discovered during the course of the investigation, it should be recorded as a new investigation request in Part A, Section I, Item 1, Total Requests Received During the Month. The case should also be counted in the appropriate line items throughout the DPA 266. After the investigation is completed, the county should report the investigation results in both the AFDC and Food Stamp columns.

FRAUD INVESTIGATION ACTIVITY REPORT

SEND ONE COPY TO:

Department of Social Services
Information Services Bureau
744 P Street, Mail Station 12-81
Sacramento, CA 95814

County Name:	County #	For Month Ending (Month, Day, Year)				2
PART A. INVESTIGATION ACTIVITY						
ITEM	AFDC (1)	PA FOOD STAMPS (2)	NA FOOD STAMPS (3)	TOTAL (4)	ALL OTHER PROGRAMS (5)	
SECTION I. INVESTIGATION REQUESTS						
1. Total Requests Received During Month	1	2	3	4	5	
2. Total Requests Rejected During Month	6	7	8	9	10	
3. Total Requests Accepted During Month (Sum Items 3a through 3n)	11	12	13	14	15	
a. Early Fraud Prevention/Detection (EFP/D)	16	17	18	19	20	
b. Income and Eligibility Verification System (IEVS)	21	22	23	24	25	
c. Other Unreported Income	26	27	28	29	30	
d. Homeless Assistance	31			34	35	
e. Unreported Resources/Assets	36	37	38	39	40	
f. Family (Household) Composition	41	42	43	44	45	
g. Duplicate/Replaced Warrants/Lost Food Stamps	46	47	48	49	50	
h. Duplicate (Multiple) Aid	51	52	53	54	55	
i. Forgery	56	57	58	59	60	
j. Residence	61	62	63	64	65	
k. Fictitious Identity	66	67	68	69	70	
l. Food Stamp Trafficking		72	73	74		
m. Internal Affairs	76	77	78	79	80	
n. Other	81	82	83	84	85	
SECTION II. INVESTIGATION CASELOAD						
4. Investigations Pending Beginning This Month (Part A, Item 7 last month, or explain in Part F)	86	87	88	89	90	
5. Total Investigations Available During Month (Item 3 plus 4)	91	92	93	94	95	
6. Total Investigations Completed During Month (Sum Items 6a and 6b)	96	97	98	99	100	
a. Evidence Sufficient to Support an Allegation of Fraud (Sum Line 1 and Line 2 below)	101	102	103	104	105	
1. Cases Referred for Prosecution	106	107	108	109	110	
2. Cases Not Referred for Prosecution	111	112	113	114	115	
b. Evidence Not Sufficient to Support an Allegation of Fraud	116	117	118	119	120	
7. Investigations Pending at End of Month (Item 5 minus Item 6)	121	122	123	124	125	
SECTION III. INVESTIGATION RESULTS						
8. Denials (Early Fraud)	126	127	128	129	130	
9. Benefits Reduced (Early Fraud)	131	132	133	134	135	
10. Discontinuances (Early Fraud)	136	137	138	139	140	
11. Referred for Prosecution	141	142	143	144	145	
12. Referred to Administrative Disqualification Hearing (ADH)	146	147	148	149	150	
13. Restitution Action	151	152	153	154	155	
14. Benefits Reduced (Not Early Fraud)	156	157	158	159	160	

County Name and #

Report Month

PART B. PROSECUTION ACTIVITY

ITEM	AFDC (1)	PA FOOD STAMPS (2)	NA FOOD STAMPS (3)	TOTAL (4)	ALL OTHER PROGRAMS (5)
SECTION I. PROSECUTION ACTIVITY	201	202	203	204	205
1. Referrals Pending Beginning of Month (Part B. Item 5 last month, or explain)					
2. Referrals Received During Month	206	207	208	209	210
3. Total Referrals Available During Month (Item 1 plus Item 2)	211	212	213	214	215
4. Total Referrals Processed During Month (Sum of Line 4a and Line 4b.)	216	217	218	219	220
a. Prosecutions Filed	221	222	223	224	225
b. Decision Made to Not Prosecute	226	227	228	229	230
5. Referrals Pending End of Month (Line 3 minus Line 4)	231	232	233	234	235
SECTION II. PROSECUTION OUTCOMES	236	237	238	239	240
6. Convictions	241	242	243	244	245
7. Administrative Action	246	247	248	249	250
8. Disqualification Consent Agreements (DCA)	251	252	253	254	255
9. Charge Pleaded	256	257	258	259	260
10. Dismissals	261	262	263	264	265
11. Acquittals	266	267	268	269	270
12. Declinations	271	272	273	274	275
13. Expiration of Statutes	276	277	278	279	280
14. Other					
PART C. ADMINISTRATIVE DISQUALIFICATION HEARING ACTIVITY	281	282	283	284	285
1. Referred for Administrative Disqualification Hearing (ADH)	286	287	288	289	290
2. Waivers	291	292	293	294	295
3. Upheld Convictions	296	297	298	299	300
4. Acquittals	301	302	303	304	305
5. Decisions Pending	306	307	308	309	310
6. Program Dollars	311	312	313	314	315
PART D. PERSONS DISQUALIFIED					
1. Persons Disqualified During Month as a Result of Court Prosecutions	316	317	318	319	320
2. Administrative Hearing Disqualifications					
PART E. COLLECTIONS	321	322	323	324	325
1. Total Collected During Prior Month (Dollar Amounts)					

PART F. COMMENTS:

NAME, TITLE, TELEPHONE and FAX NUMBER OF PERSON TO CONTACT IN CASE THERE ARE QUESTIONS CONCERNING THIS REPORT.
ENTER THE DATE THIS REPORT WAS COMPLETED.

NAME	TITLE	TELEPHONE/FAX NUMBER	DATE
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